



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/065,234	09/26/2002	Hari S. Pallapothu	273297413US	9435

25096 7590 09/12/2003

PERKINS COIE LLP  
PATENT-SEA  
P.O. BOX 1247  
SEATTLE, WA 98111-1247

EXAMINER

PATEL, DHIRUBHAI R

ART UNIT PAPER NUMBER

2831

DATE MAILED: 09/12/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/065,234

Applicant(s)

PALLAPOTHU, HARI S.

Examiner

DHIRU R PATEL

Art Unit

2831

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 26 September 2002.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-52 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) 10,11,13,14,16-21,24-33,35,36 and 38 is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_\_ is/are rejected.
- 7) ☒ Claim(s) 1-9,12,15,22-23,34,37,39-52 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

**Part III DETAILED ACTION**  
***Claim Objections***

1. Claim 1-9 are objected to because of the following informalities:

In claim 1 line 9, change " member 1" to – member. --.

Appropriate correction is required.

***Specification***

2. The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o).

In claim 5 lines 1-3, " a plurality .... elongated member" is not adequately supported by the specification.

In claim 12 lines 1-4, " a plurality .... the aperture" is not adequately supported by the specification.

In claim 15 lines 1-3, " a plurality .... elongated member" is not adequately supported by the specification.

In claim 22 lines 1-3, " a plurality .... elongated member" is not adequately supported by the specification.

In claim 23 lines 1-4, " a plurality .... the structure" is not adequately supported by the specification.

In claim 34 lines 1-3, " a plurality .... elongated member" is not adequately supported by the specification.

In claim 37 lines 1-4, " a plurality .... The aperture" is not adequately supported by the specification.

In claim 39 lines 2-17, " providing an annular ... the central aperture" is not adequately supported by the specification.

In claim 46 lines 2-17, " providing an annular ... the central aperture" is not adequately supported by the specification.

Correction of the following is required:

***Allowable Subject Matter***

3. Claims 1-9 would be allowable if rewritten to overcome the objection, set forth in this Office action.
4. Claims 10-11, 13-14, 16-21, 24-33, 35-36, 38 are allowed.
5. Claims 5, 12, 15, 22-23, 34, 37, 39-52 would be allowable if rewritten to overcome the specification objection, set forth in this Office action.

The following is a statement of reasons for the indication of allowable subject matter:

The primary reasons for the indication of the allowability of claims 1-52 are the inclusion therein, in combination as currently claimed, of the limitation of a grommet assembly comprising: a flexible body portion having a radially inward facing first sealing surface, the flexible body portion having a radially outward facing second sealing surface, and a biasing member contained in the annular cavity (for claims 1-18, 28-38), a grommet assembly comprising: a flexible body portion having a radially inward facing first sealing surface, the flexible body portion having a radially outward facing second sealing surface, and a first biasing member in the annular cavity, and a second biasing member in the annular cavity (for claims 19-27), a grommet body having a radially inward facing first sealing surface, the flexible body portion having a radially outward facing second sealing surface, and the annular shaped biasing member remaining in the annular cavity (for claims 39-52)

The previously listed limitation is neither disclosed nor taught by the prior art of record, alone or in combination.

***Other prior art cited***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Fochler, Nakata, Anderson, Pulaski, Plyler, and Burton disclose a grommet similar to applicant's claimed invention.

***Contact information***

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dhiru Patel whose telephone number is (703) 308 -3748. The examiner can normally be reached on Mondays- Thursdays from 6:30 am to 4:00 pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dean Reichard be reached at 703-308-3682. The fax number for this Group is 703-305-3431. Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-0956.

Dhiru Patel  
Patent Examiner  
Group Art Unit 2831

9/8/03

A handwritten signature in cursive script that reads "Dhiru Patel".